

REMARKS

Claims 1 and 28 are amended as discussed below. No new subject matter is introduced by the present amendments. Claims 1, 2, 4-7, 9-20, 28, 29, 31-34, 36 and 37 are pending in the present case.

Claim Rejections – 35 U.S.C. 102

Claims 28, 29, 31, 32 and 36 are rejected as being anticipated by Joao (US2002/00116655A1). The Applicant's response is detailed below.

Independent claims 1 and 28 are amended to specify that the assessment comprises a grade for the vehicular part. This amendment will serve to clarify the difference between "description information regarding the condition of a vehicular part" and an "assessment comprising a grade for the vehicular part".

Claim 28 is further amended to specify that the assessment is used in determining whether said vehicular part may be recycled.

The Applicant wishes to highlight that claim 28 specifies that the computer server is for communicating with two separate entities, 1- a vehicle dealer and 2- an assessment center. At the vehicle dealer, the description information regarding the condition of the vehicular part is entered. At the assessment center, the vehicular part is given an assessment comprising a grade based on the description information. Finally, the assessment, which includes the grade, is used in determining a disposition of the part.

Regarding claim 28:

- 1- the Office Action states that Joao discloses an electronic folder including description information regarding the condition of the vehicular part at para [0293]. In fact, para [0293] states that a user will "enter data and/or information regarding the user and/or the **vehicle in question**" (emphasis added); that is, Joao refers to a **vehicle** while the claims refer to a **condition of a vehicular part**. These terms are far from equivalent;
- 2- the Office Action states that Joao discloses, at para [0293], "said electronic folder being modified **at said assessment center** to include said assessment".

Joao does not disclose the modification of the electronic folder at the assessment center. Para [0293] states that the information is sent to the computer 20 for the user's review. Earlier, the Office Action also states that Joao discloses at para [0283] that the user enters information that is to be sent to the central server via a computer 20. The Office Action therefore clearly refers to the **same** computer 20 for anticipating the entry of "description information regarding the condition of said vehicular part" and the modification of "said electronic folder [...]" to include said assessment. As stated earlier, the claimed invention calls for **different** entities (1- vehicular dealer, and 2- assessment center) to enter the description information and to input an assessment based on the description information.

The Applicant therefore respectfully submits that none of the cited references teach or suggest the combination of elements described in independent claim 28. The claim rejections under 35 U.S.C 102 to independent claim 28 and those depending from it should be withdrawn at least in view of the above-noted differences.

Claim Rejections – 35 U.S.C. 103

Claims 1, 2, 4-7 and 9-20 are rejected as being obvious over Joao in view of Hormozi. Claims 33, 34 and 37 are rejected as being obvious over Joao.

These rejections are moot in view of the arguments and amendments submitted above.

Furthermore, concerning claim 1, the Office Action states that Joao discloses at para [0297] that the service provider [...] transmits back to the central server updated or modified information including the assessment of the vehicle and or part. In fact, para [0297] states that "[a user] can access the central processing computer 10 from its respective computer and transmit data and/or information [...] so as to update the vehicle file". It is clear from this passage that the vehicle file is maintained at the central computer 10. On the other hand, the claimed invention refers to an electronic folder which is transmitted between entities and modified at the entities, i.e., it is not centrally maintained.

Also, concerning claim 33, the Office Action admits that Joao fails to disclose the idea of the settlement of the claim. It then refers to calling up the warranty provider who would issue a disposition of final judgment concerning a part. On the other hand, claim 33 clearly states that

it is the computer server which is adapted to determine the disposition of a warranty settlement for a vehicular part.

The Applicant therefore respectfully submits that none of the cited references teach or suggest the combination of elements described in independent claim 1. The claim rejections under 35 U.S.C 103 to independent claim 1 and those depending from it or claim 28 should be withdrawn at least in view of the above-noted differences.

In view of the above, it is respectfully submitted that claims 1, 2, 4-7, 9-20, 28, 29, 31-34, 36 and 37 now on file meet the patentability criteria and a Notice of Allowance to this effect is earnestly solicited.

Respectfully,

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